

Meeting Minutes October 26, 2006

Town of Los Altos Hills City Council Regular Meeting

Thursday, October 26, 2006 6:30 P.M.
Town Hall Council Chambers, 26379 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Warshawsky called the City Council Regular Meeting to order at 6:35 p.m. in the Council Chambers at Town Hall.

Present: Mayor Dean Warshawsky, Mayor Pro Tem Craig A.T. Jones, Councilmember Breene Kerr, Councilmember Jean Mordo and Councilmember Mike O'Malley

Absent: None

Staff: City Manager Carl Cahill, City Attorney Steve Mattas, Administrative Services Director Sarah Ragsdale, Public Works Director/City Engineer Henry Louie, and City Clerk Karen Jost.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Mordo and passed unanimously to limit comments from the floor to two minutes.

2. APPOINTMENTS AND PRESENTATIONS

2.1 Appointment of Youth Commissioner

Ting Ting Lui, applicant, addressed Council. Ms. Lui commented that she had served as the Town's Assistant Youth Commissioner this past year and was seeking Council appointment as Youth Commissioner. She was familiar with the duties and responsibilities of the position and believed she could draw on her experience in fulfilling the obligations of the post.

Roy Woolsey, Community Relations Committee Chair, commented that Ms. Lui was an excellent candidate and recommended approval of her appointment.

Council thanked Ms. Lui for applying for the position and her offer to serve in this volunteer capacity.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by O'Malley and passed unanimously to appoint Ting Ting Lui to serve as Youth Commissioner for a term of one year.

3. PLANNING COMMISSION REPORT

City Manager Carl Cahill advised Council that there was no report from the Planning Commission.

4. CONSENT CALENDAR

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by O'Malley and passed unanimously to approve the Consent Calendar; specifically:

- 4.1 Approval of Minutes: Regular City Council Meeting October 12, 2006
- 4.2 Review of Disbursements: 10/4/2006 – 10/18/2006 \$388,915.73
- 4.3 Monthly Financial Report
- 4.4 Consumer Price Index Increase for Los Altos Garbage Company
Resolution No. 106-06
- 4.5 Quarterly Interest Report
- 4.6 Notification of Fast Track Approval: Lands of Yang; 28020 Laura Court, A Request for a Site Development Permit for a 6,325 square foot New Residence with a 1,100 square foot Attached Four-Car Garage, 655 square foot Second Unit Dwelling and a New Pool (maximum height 27') CEQA Review: Exempt Per Section 15303(a)
- 4.7 Notification of Fast Track Approval: Lands of Winner; 13880 Ciceroni Lane, A Request for a Site Development Permit for a Remodel of an Existing Residence. The Floor Area and Development Area will be reduced and there is no proposed change to the height of the building. CEQA Review: Exempt per Section 15301(d)
- 4.8 Approval of Agreement with CSG Consultants, Inc. to Provide Consultant Services for the General Plan Update – Resolution No.107-06
- 4.9 Acceptance of the 2005-2006 Pavement Rehabilitation Project
Resolution No. 108-06
- 4.10 Acceptance of the Page Mill Road, El Monte Road Pavement Rehabilitation Project – Resolution No. 109-06
- 4.11 Public Facilities Fee Program Annual Report – Fiscal Year Ended June 30, 2006
Resolution No. 110-06
- 4.12 Approval of Purchase of Parks/Maintenance Vehicle

5. UNFINISHED BUSINESS

5.1 Town Goals

5.1.1 Public Education: Bring the Future of Public Education to a Vote

Mayor Pro Tem Jones provided a summary update on the efforts of the Ad Hoc Committee on District Reorganization to prepare for the December 7th scheduled hearing of the Town's petition before the County Committee. He noted that the subcommittee of the AHCDR had sought professional guidance to assist them with the very complicated reorganization process. He thanked Planning Commissioner Bart Carey for coordinating much of the subcommittee's endeavors. Jones noted that Town residents would have an opportunity to provide input on the subject at the November 15th scheduled informational /Special City Council meeting. He would provide a status report at the next Council meeting.

5.1.2 Underground Utilities: Complete Pilot Projects and Assist Underground Assessment Districts

Public Works Director/City Engineer Henry Louie advised Council that he had met with PG&E representatives and they had confirmed that the Town's two projects had been officially combined. The Town's Underground Pilot Project was on schedule.

5.1.3 Sanitary Sewers: Update and Implement the Master Plan

Councilmember O'Malley reported that the sewer agreement between the Town and the City of Los Altos had been considered by the Los Altos City Council at their October 24, 2006 meeting. Two Councilmembers had expressed concerns with the draft agreement and it had been returned to City staff for further review and the incorporation of penalty language. O'Malley expressed his disappointment in the City's failure to approve the agreement, noting that it had received support from their City Council subcommittee and staff.

City Manager Cahill explained that he had spoken with Los Altos City Manager Phil Rose. Town staff was proposing more reasonable penalty language that would allow the Town the appropriate time to assess any problems regarding overall flow and the time to implement a solution. Cahill offered that with the Los Altos proposed penalty language, the Town could potentially be in a penalty situation from day one of the agreement. He recommended that the Town's sewer subcommittee meet to develop language that would address the concerns of Los Altos but not be burdensome and onerous to Los Altos Hills.

Councilmember Mordo explained that there were two main concerns with the Los Altos proposal. First, the flows from Los Altos Hills into the Los Altos sewers had never been measured. The Town had estimates but the agreement was based on metered flows. The second issue was a matter of principle. Mordo offered that the proposed penalty language was punitive. In the draft agreement that had been rejected by the City, the Town had agreed to fully compensate Los Altos for any additional costs at the treatment

plant that were a result of the Town's flow. The Town had agreed to pay all true costs and Mordo questioned the need for punitive language.

City Manager Cahill proposed that the sewer subcommittee meet next week to assess the agreement status. Due to a scheduling conflict, Councilmember O'Malley was not available for the meeting but was comfortable that Town staff had a clear understanding of his position on the sewer agreement.

51.4 Wireless Communications: Continue to Improve Townwide Cell Coverage

City Manager Cahill reported that the Verizon cell tower at Westwind Barn was under construction and the expectation was that the project would be completed by the end of November.

5.1.5 Complete General Plan Review

Councilmember O'Malley reported that the Ad Hoc Committee had made considerable progress on the General Plan update. His expectation was to have the Introduction, Conservation and Open Space Element, and the Parks and Recreation Element forwarded to the Planning Commission for their review in January, 2007.

5.1.6 Develop Plan For and Begin the Process of Approval of the Building of a New Town Park/Recreation Facility

Councilmember O'Malley reported that the Parks and Recreation Committee had met. They had expressed some concerns on the project and O'Malley had clarified the Council's directive to investigate a park that included a soccer/playing field, sport court, picnic area, playground and appropriate parking. Once the conceptual plan was defined, the Committee would have a better understanding of the amount of land that would be required by the proposed facility and they could begin the search for an appropriate site.

6. NEW BUSINESS

6.1 Consideration of Holiday Council Meeting Schedule

Following a brief discussion and review of their meeting schedule and holiday calendar, Council consensus was to cancel the November 23, 2006 regular City Council meeting and the December 28, 2006 regular City Council meeting.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed unanimously to cancel the November 23, 2006 and December 28, 2006 regular City Council meetings.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Former Mayor Bob Johnson addressed Council. As a member of the Joint Volunteer Awards Committee he requested that the City Council give consideration of nominees for the prestigious community award. He suggested that Council review the list of past recipients for appropriate suggestions.

8. STAFF REPORTS

8.1 City Manager

No report.

8.2 City Attorney

No report.

8.3 City Clerk

The City Clerk requested Council consideration of the addition of an urgency item to the Council agenda. Staff had received a request from the Mayor for a resolution acknowledging the 15th anniversary of the Los Altos Community Foundation after the meeting agenda had been noticed. The resolution would be presented to the Foundation at their annual brunch scheduled for Sunday, October 29, 2006.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to add to the agenda consideration of a Council resolution recognizing LACF on their 15th anniversary.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Mordo and passed unanimously to adopt resolution 105A-06 recognizing the Los Altos Community Foundation's milestone anniversary.

8.3.1 Report on Council Correspondence

No report.

9. COUNCIL-INITIATED ITEMS

9.1 Consideration of Resolution Regarding Measure H – Los Altos School District Parcel Tax – Councilmember Mordo

Councilmember Mordo explained that he had requested this item be placed on the agenda for Council discussion. He offered that he was aware that the Council as a whole supported the proposed redistricting and the formation of the Town's own K-8 school district but suggested that Council support of the parcel tax could be separated from their redistricting action. He sympathized and shared the anger of many of his constituents towards the actions of the Los Altos School District but noted that the Town was still a part of the district and it would be appropriate to support the continuation of the programs for the children.

OPENED PUBLIC COMMENT

Eric Clow, Central Drive, explained that he had chaired previous parcel tax campaigns for the Los Altos School District but was opposed to the passage of Measure H. He explained his position was due to the fact that no parcel tax revenue would be afforded to the Bullis Charter School. Clow suggested that it was within the means of the Los Altos School District to share the funds but to date they have chosen not to distribute any parcel tax funds to the Charter School. He believed that it was important to vote "No" on the Measure to register disapproval with this inequity.

Duncan MacMillan, Natoma Road, explained that he resided in the Palo Alto Unified School District and could not vote on the Measure. He suggested that passage of Measure H in Los Altos Hills could potentially be used against the Town during the redistricting action. He encouraged the Council to take no action on the proposed resolution.

CLOSED PUBLIC COMMENT

Council discussion ensued. Councilmember O'Malley noted that he was not comfortable with the Council taking a position or expressing his opinion on the Measure and favored leaving the issue in the hands of the School District.

Mayor Pro Tem Jones stated that he had publicly expressed his support of Measure H. He shared a letter that he had received from resident Elizabeth Mooring on the subject. Jones explained that the letter expressed a view counter to his own but the author had written an articulate and well researched letter and he wished to share it with Council. Because of the actions of the District in their decision to close the only school in Los Altos Hills and their efforts to hinder and restrain the success of the Bullis Charter School in an effort to maintain control, she did not believe that the Los Altos School District deserved the support of Los Altos Hills' residents. Jones offered that he sympathized with her sentiment and concurred with her analysis. He commented that his support for redistricting however was not tied to the Los Altos School District but was an effort to maximize educational opportunities for the children of Los Altos Hills by gaining ultimate control over a K-8 School District.

Jones added that he believed it was relevant for the Council to vote to support passage of Measure H for their constituents who attend Loyola, Egan and Covington schools and depend on the funds. He suggested that even if the Town had their own District, it was important for the Town to be contiguous to good school district.

Councilmember Kerr commented that he intended to vote for the Parcel Tax and he believed it was important to support its passage. However, he favored a fair and open forum, notably the election, to afford the residents an opportunity to make their own decisions. Kerr supported the City Council maintaining a neutral stance on the issue.

Mayor Warshawsky commented that he personally supported passage of Measure H. He suggested that action on a Council resolution would not afford the issues the open and fair debate needed. Warshawsky favored leaving the parcel tax in the hands of the voters to make their own determination.

Councilmember Mordo commented that he respected the positions of his fellow Councilmembers and withdrew his request for a resolution.

10. PRESENTATIONS FROM THE FLOOR

None

11. ADJOURNMENT

There being no further business, the City Council meeting was adjourned by consensus of the City Council at 7:35 p.m.

Respectfully submitted,

Karen Jost
City Clerk

The meeting minutes were approved as presented at the November 9, 2006 regular City Council meeting.